IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 1230 of 2006

LR'S OF GOVIND RAM BHARADIYA
V/S
A.D.J.NO,2 BHILWARA & ANR.

Mr. KC SAMDARIA, for the appellant / petitioner

Date of Order : 19.1.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner and perused the impugned order.

In the totality of circumstances, I am not inclined to interfere with the impugned order allowing the application under Order 41 Rule 27 CPC in my writ jurisdiction. It is, however, made clear that it will be open to the petitioner to assail the correctness, legality, or propriety of the impugned order by setting forth appropriate ground in appeal, if necessity so arises, and if the petitioner so stands advised. The writ petition is, accordingly, dismissed summarily. Records of the learned Courts below be returned forthwith and the Appellate Court is directed to decide the appeal expeditiously.

(N P GUPTA),J.

/tarun/